IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

WP(C).No. 27836 of 2006(L)

PETITIONER:

DR.SURESH JACOB, S/O.TALBOT JACOB,
JACOB HOSPITAL, CHERUVARAKONAM, PARASSALA,
TRIVANDRUM.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS:
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1. THE AREA MANAGER,
L.I.C. HOUSING FINANCE LIMITED,
AREA OFFICE, 2ND FLOOR, LEELA TOWERS,
KESAVADASAPURAM, TRIVANDRUM.

2. THE AUTHORISED OFFICER,
L.I.C. HOUSING FINANCE LIMITED,
AREA OFFICE, 2ND FLOOR, LEELA TOWERS,
KESAVADASAPURAM, TRIVANDRUM.

BY ADV. SRI.PAULY MATHEW MURICKEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE LETTER ISSUED BY THE 1ST RESPONDENT WITH THE LOAN OFFER WITH THE SANCTION LETTER DATED 11.11.2002.

EXT.P2: TRUE COPY OF THE LETTER DATED 12.11.2002 ISSUED BY THE 1ST RESPONDENT.

EXT.P3: TRUE COPY OF THE LETTER DATED 16.08.2002 ISSUED BY THE 2ND RESPONDENT.

EXT.P4: TRUE COPY OF THE COMMUNICATION SENT TO THE 1ST RESPONDENT DATED 03.10.2006.

EXT.P5: TRUE COPY OF THE REPLY RECEIVED FROM THE 1ST RESPONDENT DATED 03.10.2006.

/True Copy/

P.A to Judge.

KURIAN JOSEPH , J

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W.P.(C) NO. 27836 OF 2006

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Dated this the 19th day of July, 2007.

JUDGMENT

The writ petition is filed with the following prayer:

i. issue a Writ of Mandamus directing the respondents to consider the offer made by the petitioner under one time settlement scheme as per the guidelines issued by the Reserve Bank of India.

2. It is submitted by the learned counsel appearing for the respondent that so far no proper application has been filed for one time settlement. It is also submitted that the petitioner has not complied with the interim order passed by this Court. Be that as it may, since the prayer is only for one time settlement of the arrears, for the only reason that the interim order was not complied with, there is no justification in not considering the case of the petitioner for one time settlement. Accordingly, there will be a direction to the respondents to consider Ext.P4 with notice to the petitioner and take appropriate action, in accordance with law, within four months from the date of receipt of a copy of this judgment, as per the scheme for settlement.

The writ petition is disposed of accordingly.

KURIAN JOSEPH, JUDGE.

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